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Attorneys for Defendant US VOICE & DATA, LLC,  
previously known as TRI-STATE COMMUNICATION  
SERVICES LLC

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

AVAYA INC., a Delaware corporation,  
Plaintiff,

v.

RAYMOND BRADLEY PEARCE, a/k/a  
"BRAD" PEARCE, an individual; JASON  
HINES, an individual and doing business as  
DBSI and TELBEST.COM; DEDICATED  
BUSINESS SYSTEMS INTERNATIONAL,  
LLC, doing business as DBSI.NET, a New  
Jersey limited liability company; ATLAS  
SYSTEMS, INC., doing business as  
ATLASPHONES.COM and "THE  
TELECOM DEALER," a Michigan  
corporation; TELEPHONE MAN OF  
AMERICA LLC, doing business as  
TELEPHONEMAN OF AMERICA.COM and  
"TELEPHONEMAN OF AMERICA," a  
Florida limited liability company; THE  
TELECOM SPOT, doing business as  
THETELECOMSPOT.COM, a Texas  
business entity; and, DOES 1 through 50,  
inclusive,

Case No. 3:19-cv-00565-SK

**NOTICE OF DEFENDANT US VOICE &  
DATA, LLC'S, PREVIOUSLY KNOWN  
AS TRI-STATE COMMUNICATION  
SERVICES, LLC, FILING OF CHAPTER  
7 BANKRUPTCY PETITION**

**TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE on this date, Defendant US VOICE & DATA, LLC, previously known as TRI-STATE COMMUNICATION SERVICES LLC filed a voluntary petition for bankruptcy pursuant to Chapter 7 of the Bankruptcy Code. The petition was filed in the United States Bankruptcy Court, District of New Jersey and was assigned case number 20-14915. The filed petition is attached hereto as Exhibit A.

Dated: March 26, 2020

**BLEDSON, DIESTEL, TREPPA & CRANE LLP**

By: /s/ Davis J. Reilly

Davis J. Reilly  
Maria Nozzolino  
Attorneys for Defendant US VOICE & DATA, LLC  
previously known as, TRI-STATE  
COMMUNICATIONS SERVICES LLC

BLEDSON, DIESTEL, TREPPA & CRANE LLP

# **EXHIBIT A**

Fill in this information to identify the case:

United States Bankruptcy Court for the:

\_\_\_\_\_ District of \_\_\_\_\_  
(State)

Case number (if known): \_\_\_\_\_ Chapter \_\_\_\_\_

☐ Check if this is an amended filing

Official Form 201

**Voluntary Petition for Non-Individuals Filing for Bankruptcy**

02/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

U.S. Voice and DATA, LLC

2. All other names debtor used in the last 8 years

N/A

Include any assumed names, trade names, and doing business as names

3. Debtor's federal Employer Identification Number (EIN)

46-5197825

4. Debtor's address

Principal place of business

165 PARSONS AVE  
Number Street  
Suite 107  
Fairfield NJ 07004  
City State ZIP Code

County

Mailing address, if different from principal place of business

Same  
Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from principal place of business

N/A  
Number Street

City State ZIP Code

5. Debtor's website (URL)

N/A

Debtor

U.S. Voice and Media, LLC

Case number (if known) \_\_\_\_\_

6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership (excluding LLP)  
☐ Other. Specify: \_\_\_\_\_

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))  
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
☐ Railroad (as defined in 11 U.S.C. § 101(44))  
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))  
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))  
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))  
☒ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)  
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

5191

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☒ Chapter 7  
☐ Chapter 9  
☐ Chapter 11. Check all that apply:

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625 (amount subject to adjustment on 4/01/22 and every 3 years after that).  
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and it chooses to proceed under Subchapter V of Chapter 11.  
☐ A plan is being filed with this petition.  
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.  
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

If more than 2 cases, attach a separate list.

☒ No

☐ Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY  
District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM / DD / YYYY



Debtor U.S. Voice and DATA, LLC Case number (if known) \_\_\_\_\_  
Name

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

List all cases. If more than 1, attach a separate list.

☒ No

☐ Yes.

Debtor \_\_\_\_\_ Relationship \_\_\_\_\_

District \_\_\_\_\_ When \_\_\_\_\_

MM / DD / YYYY

Case number, if known \_\_\_\_\_

11. Why is the case filed in this district?

Check all that apply:

☒

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes.

Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard? \_\_\_\_\_

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other \_\_\_\_\_

Where is the property?

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_

State ZIP Code \_\_\_\_\_

Is the property insured?

☐ No

☐ Yes.

Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☐

Funds will be available for distribution to unsecured creditors.

☒

After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

☒

1-49

☐

50-99

☐

100-199

☐

200-999

☐

1,000-5,000

☐

5,001-10,000

☐

10,001-25,000

☐

25,001-50,000

☐

50,001-100,000

☐

More than 100,000

Debtor	Name		Case number (if known)
15. Estimated assets	<input checked="" type="checkbox"/> \$0-\$50,000 <input type="checkbox"/> \$50,001-\$100,000 <input type="checkbox"/> \$100,001-\$500,000 <input type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$1,000,001-\$10 million <input type="checkbox"/> \$10,000,001-\$50 million <input type="checkbox"/> \$50,000,001-\$100 million <input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> \$500,000,001-\$1 billion <input type="checkbox"/> \$1,000,000,001-\$10 billion <input type="checkbox"/> \$10,000,000,001-\$50 billion <input type="checkbox"/> More than \$50 billion
16. Estimated liabilities	<input type="checkbox"/> \$0-\$50,000 <input type="checkbox"/> \$50,001-\$100,000 <input type="checkbox"/> \$100,001-\$500,000 <input type="checkbox"/> \$500,001-\$1 million	<input checked="" type="checkbox"/> \$1,000,001-\$10 million <input type="checkbox"/> \$10,000,001-\$50 million <input type="checkbox"/> \$50,000,001-\$100 million <input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> \$500,000,001-\$1 billion <input type="checkbox"/> \$1,000,000,001-\$10 billion <input type="checkbox"/> \$10,000,000,001-\$50 billion <input type="checkbox"/> More than \$50 billion

### Request for Relief, Declaration, and Signatures

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

#### 17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03/26/2020  
MM / DD / YYYY

X

Signature of authorized representative of debtor

Title

Printed name

Jason Hines

President

#### 18. Signature of attorney

X

Signature of attorney for debtor

Date

03/26/2020  
MM / DD / YYYY

Printed name

Philip L. Guarino

Firm name

Guarino & Co. Law Firm, LLC

Number

Street

300 Main St. Suite 552

City

Madison

State

ZIP Code

NJ 07940

Contact phone

973/615-1591

Email address

guarino@law@gmail.com

Bar number

027561982

State

NJ